

NO. 24366

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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STATE OF HAWAI'I, OFFICE OF THE PROSECUTING ATTORNEY,  
Plaintiff-Appellee,

vs.

JOSEPH MISURACA, Defendant-Appellant.

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APPEAL FROM THE FIFTH CIRCUIT COURT  
(CR. NO. 00-01-0237)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that this court informed Appellant by letter dated December 7, 2001, that the time for filing the opening brief expired on December 14, 2001, and that pursuant to Rule 30 of the Hawai'i Rules of Appellate Procedure, the matter would be called to the attention of the court for such action as the court deemed proper including dismissal of the appeal. Appellant having failed to respond to said letter or to otherwise oppose dismissal,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, March 7, 2002